

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:17-cv-02177-EGS**

GOVERNMENT ACCOUNTABILITY PROJECT v. UNITED
STATES DEPARTMENT OF STATE
Assigned to: Judge Emmet G. Sullivan
Cause: 05:552 Freedom of Information Act

Date Filed: 10/19/2017
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**GOVERNMENT ACCOUNTABILITY
PROJECT**

represented by **Joshua Hart Burday**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

ZACK KOPPLIN

represented by **Joshua Hart Burday**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

**UNITED STATES DEPARTMENT OF
STATE**

represented by **Joshua M. Kolsky**
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TERMINATED: 12/11/2018
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TERMINATED: 07/20/2018

| Date Filed | # | Docket Text |
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| 10/19/2017 | <u>1</u> | COMPLAINT against UNITED STATES DEPARTMENT OF STATE(Filing fee received \$ 400 receipt number 4616088012) filed by GOVERNMENT ACCOUNTABILITY PROJECT. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit, # <u>12</u> Exhibit, # <u>13</u> Exhibit, # <u>14</u> Exhibit, # <u>15</u> Exhibit, # <u>16</u> Exhibit, # <u>17</u> Exhibit, # <u>18</u> Exhibit, # <u>19</u> Exhibit, # <u>20</u> Exhibit, # <u>21</u> Exhibit, # <u>22</u> Exhibit)(Burday, Joshua) Modified on 11/7/2017 (sth). (Entered: 10/19/2017) |
| 10/19/2017 | | Case Assigned to Judge Emmet G. Sullivan. (sth) (Entered: 11/06/2017) |
| 11/06/2017 | <u>2</u> | STANDING ORDER: The parties are directed to read the attached Standing Order Governing Civil Cases Before Judge Emmet G. Sullivan in its entirety upon receipt. The parties are hereby ORDERED to comply with the directives in the attached Standing Order. Signed by Judge Emmet G. Sullivan on 11/06/17. (Attachment: # <u>1</u> Exhibit 1) (mac) (Entered: 11/06/2017) |
| 11/06/2017 | <u>3</u> | SUMMONS (1) Issued Electronically as to UNITED STATES DEPARTMENT OF STATE. (Attachments: # <u>1</u> Notice and Consent)(sth) (Entered: 11/06/2017) |
| 11/06/2017 | | SUMMONS Not Issued as to the U.S. Attorney General and the U.S. Attorney. (sth) (Entered: 11/06/2017) |
| 12/12/2017 | <u>4</u> | NOTICE of Appearance by Alexander Daniel Shoaibi on behalf of UNITED STATES DEPARTMENT OF STATE (Shoaibi, Alexander) (Entered: 12/12/2017) |
| 12/12/2017 | <u>5</u> | Consent MOTION for Extension of Time to <i>Respond to Complaint</i> by UNITED STATES DEPARTMENT OF STATE (Shoaibi, Alexander) (Entered: 12/12/2017) |
| 12/13/2017 | | MINUTE ORDER granting <u>5</u> defendant's consent motion for an enlargement of time. Defendant is directed to answer or otherwise respond to plaintiff's complaint by no later than January 16, 2018. Signed by Judge Emmet G. Sullivan on December 13, 2017. (lcegs2) (Entered: 12/13/2017) |
| 12/14/2017 | | Set/Reset Deadlines: Defendant Answer Or Otherwise Response To Plaintiff's Complaint due by 1/16/2018, (mac) (Entered: 12/14/2017) |
| 01/12/2018 | <u>6</u> | Consent MOTION for Extension of Time to <i>Respond to Complaint</i> by UNITED STATES DEPARTMENT OF STATE (Shoaibi, Alexander) (Entered: 01/12/2018) |
| 01/30/2018 | <u>7</u> | MOTION for Extension of Time to <i>Respond to Complaint</i> by UNITED STATES DEPARTMENT OF STATE (Shoaibi, Alexander) (Entered: 01/30/2018) |
| 02/05/2018 | <u>8</u> | Consent MOTION for Extension of Time to <i>Respond to Complaint</i> by UNITED STATES DEPARTMENT OF STATE (Shoaibi, Alexander) (Entered: 02/05/2018) |
| 02/07/2018 | | MINUTE ORDER granting <u>8</u> defendant's consent motion for an enlargement of time. Defendant is directed to answer or otherwise respond to plaintiff's amended complaint within 15 calendar days after that complaint is filed. Signed by Judge Emmet G. Sullivan on February 7, 2018. (lcegs2) (Entered: 02/07/2018) |
| 02/08/2018 | <u>9</u> | MOTION to Amend/Correct <u>1</u> Cover Sheet,, <i>Complaint</i> by Zack Kopplin (Attachments: # <u>1</u> Amended Complaint)(Burday, Joshua) (Entered: 02/08/2018) |
| 02/12/2018 | | MINUTE ORDER granting <u>9</u> plaintiffs' consent motion to amend the complaint. Plaintiffs are directed to file their amended complaint as a separate entry on the docket by no later than February 15, 2018. Defendant is directed to answer or otherwise respond to plaintiffs' amended complaint by no later than February 23, 2018. Signed by Judge Emmet G. Sullivan on February 12, 2018. (lcegs2) (Entered: 02/12/2018) |
| 02/13/2018 | | Set/Reset Deadlines: Plaintiffs Amended Complaint due by 2/15/2018. Defendant Answer Or Otherwise Response To Plaintiffs' Amended Complaint due by 2/23/2018. |

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| | | (mac) (Entered: 02/13/2018) |
| 02/13/2018 | <u>10</u> | AMENDED COMPLAINT against UNITED STATES DEPARTMENT OF STATE filed by GOVERNMENT ACCOUNTABILITY PROJECT, Zack Kopplin. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit, # <u>12</u> Exhibit, # <u>13</u> Exhibit, # <u>14</u> Exhibit, # <u>15</u> Exhibit, # <u>16</u> Exhibit, # <u>17</u> Exhibit, # <u>18</u> Exhibit, # <u>19</u> Exhibit, # <u>20</u> Exhibit)(Burday, Joshua) (Entered: 02/13/2018) |
| 02/23/2018 | <u>11</u> | ANSWER to <u>10</u> Amended Complaint, by UNITED STATES DEPARTMENT OF STATE.(Shoaibi, Alexander) (Entered: 02/23/2018) |
| 04/26/2018 | | MINUTE ORDER. Plaintiffs bring this action pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552. The parties are directed to meet and confer and propose a joint scheduling order for further proceedings in this case by no later than May 23, 2018. The parties' joint proposed scheduling order shall address the following: (1) the status of plaintiffs' FOIA requests; (2) the anticipated number of documents responsive to plaintiffs' FOIA requests; (3) the anticipated date(s) for release of documents responsive to plaintiffs' FOIA requests; (4) whether a motion for an Open America stay is likely in this case; (5) whether a Vaughn index will be required in this case; (6) whether this case would benefit from referral to a magistrate judge or the District Court Mediation Program for purposes of settlement; and (7) a proposed briefing schedule for dispositive motions, if applicable. If the parties are unable to agree on a joint recommendation, the joint proposed scheduling order shall include each party's individual recommendations. Signed by Judge Emmet G. Sullivan on April 26, 2018. (lcegs2) (Entered: 04/26/2018) |
| 04/26/2018 | | Set/Reset Deadlines: Joint Scheduling Order due by 5/23/2018. (mac) (Entered: 04/26/2018) |
| 05/23/2018 | <u>12</u> | MOTION for Extension of Time to <i>File Joint Status Report</i> by UNITED STATES DEPARTMENT OF STATE (Shoaibi, Alexander) (Entered: 05/23/2018) |
| 05/25/2018 | <u>13</u> | Joint STATUS REPORT by UNITED STATES DEPARTMENT OF STATE. (Shoaibi, Alexander) (Entered: 05/25/2018) |
| 05/25/2018 | | MINUTE ORDER granting <u>12</u> defendant's motion for an enlargement of time. The parties' joint status report filed on May 25, 2018 will be deemed timely filed. Signed by Judge Emmet G. Sullivan on May 25, 2018. (lcegs2) (Entered: 05/25/2018) |
| 05/29/2018 | | MINUTE ORDER. In view of the parties' joint status report, the parties are directed to submit a further joint status report, including a recommendation for further proceedings, if any, by no later than June 28, 2018. Defendant is directed to provide the anticipated number of documents responsive to plaintiffs' FOIA requests and the anticipated date by which production will be complete by that time. Signed by Judge Emmet G. Sullivan on May 29, 2018. (lcegs2) (Entered: 05/29/2018) |
| 05/30/2018 | | Set/Reset Deadlines: Joint Status Report due by 6/28/2018. (mac) (Entered: 05/30/2018) |
| 06/28/2018 | <u>14</u> | Joint STATUS REPORT by GOVERNMENT ACCOUNTABILITY PROJECT, ZACK KOPPLIN. (Burday, Joshua) (Entered: 06/28/2018) |
| 07/10/2018 | | MINUTE ORDER. In view of the <u>14</u> joint status report, the parties are directed to file a further joint status report by July 27, 2018. Defendant is again directed to provide the anticipated number of documents by that time. Defendant is further directed to provide the number of pages in each of defendant's last three productions to plaintiff. Defendant is directed to respond directly to the Court's inquiries; failure to comply may result in sanctions. Signed by Judge Emmet G. Sullivan on July 10, 2018. (lcegs2) (Entered: 07/10/2018) |
| 07/10/2018 | | Set/Reset Deadlines: Joint Status Report due by 7/27/2018. (mac) (Entered: 07/10/2018) |
| 07/20/2018 | <u>15</u> | NOTICE OF SUBSTITUTION OF COUNSEL by Joshua M. Kolsky on behalf of UNITED STATES DEPARTMENT OF STATE Substituting for attorney Alexander Shoaibi (Kolsky, Joshua) (Entered: 07/20/2018) |

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| 07/27/2018 | <u>16</u> | Joint STATUS REPORT by UNITED STATES DEPARTMENT OF STATE. (Kolsky, Joshua) (Entered: 07/27/2018) |
| 07/30/2018 | | MINUTE ORDER. In view of the <u>16</u> parties' joint status report, the parties are directed to submit a further joint status report, including a recommendation for further proceedings, if any, by no later than October 30, 2018. Defendant is directed to provide the anticipated number of documents responsive to plaintiffs' FOIA requests and the anticipated date by which production will be complete by that time. Signed by Judge Emmet G. Sullivan on 7/30/2018. (lcegs2) (Entered: 07/30/2018) |
| 07/31/2018 | | Set/Reset Deadlines: Joint Status Report due by 10/30/2018. (mac) (Entered: 07/31/2018) |
| 10/30/2018 | <u>17</u> | Joint STATUS REPORT by UNITED STATES DEPARTMENT OF STATE. (Kolsky, Joshua) (Entered: 10/30/2018) |
| 10/31/2018 | | MINUTE ORDER. In light of <u>17</u> the parties' joint status report, the parties are directed to file a further joint status report by no later than November 29, 2018. Signed by Judge Emmet G. Sullivan on 10/31/2018. (lcegs2) (Entered: 10/31/2018) |
| 11/01/2018 | | Set/Reset Deadlines/Hearings: Joint Status Report due by 11/29/2018. (mac) (Entered: 11/01/2018) |
| 11/29/2018 | <u>18</u> | Joint STATUS REPORT by UNITED STATES DEPARTMENT OF STATE. (Kolsky, Joshua) (Entered: 11/29/2018) |
| 12/03/2018 | | MINUTE ORDER. In light of <u>18</u> the parties' joint status report, the parties are directed to file a further joint status report by no later than January 28, 2019. Signed by Judge Emmet G. Sullivan on 12/3/2018. (lcegs2) (Entered: 12/03/2018) |
| 12/03/2018 | | Set/Reset Deadlines: Joint Status Report due by 1/28/2019. (mac) (Entered: 12/03/2018) |
| 12/11/2018 | <u>19</u> | ENTERED IN ERROR.....NOTICE OF SUBSTITUTION OF COUNSEL by Paul Cirino on behalf of UNITED STATES DEPARTMENT OF STATE Substituting for attorney Joshua M. Kolsky (Cirino, Paul) Modified on 12/13/2018 (znmw). (Entered: 12/11/2018) |
| 12/11/2018 | <u>20</u> | NOTICE OF SUBSTITUTION OF COUNSEL by Paul Cirino on behalf of UNITED STATES DEPARTMENT OF STATE Substituting for attorney Joshua M. Kolsky (Cirino, Paul) (Entered: 12/11/2018) |
| 12/13/2018 | | NOTICE OF CORRECTED DOCKET ENTRY: Docket Entry <u>19</u> Substitution of Counsel was entered in error (incorrect document) and was refiled by counsel as Docket Entry <u>20</u> Substitution of Counsel. (znmw) (Entered: 12/13/2018) |
| 01/28/2019 | <u>21</u> | Unopposed MOTION for Extension of Time to File <i>Joint Status Report</i> by UNITED STATES DEPARTMENT OF STATE (Attachments: # <u>1</u> Text of Proposed Order)(Cirino, Paul) (Entered: 01/28/2019) |
| 01/28/2019 | | MINUTE ORDER granting <u>21</u> unopposed motion for extension of time. The parties are directed to file a joint status report by no later than February 18, 2019. Signed by Judge Emmet G. Sullivan on 1/28/2019. (lcegs2) (Entered: 01/28/2019) |
| 01/29/2019 | | Set/Reset Deadlines: Joint Status Report due by 2/18/2019. (mac) (Entered: 01/29/2019) |
| 02/19/2019 | <u>22</u> | Joint STATUS REPORT by UNITED STATES DEPARTMENT OF STATE. (Cirino, Paul) (Entered: 02/19/2019) |
| 02/20/2019 | | MINUTE ORDER. In light of the parties' <u>22</u> joint status report, the parties are directed to file a further joint status report by no later than April 19, 2019. Signed by Judge Emmet G. Sullivan on 2/20/2019. (lcegs2) (Entered: 02/20/2019) |
| 02/21/2019 | | Set/Reset Deadlines: Joint Status Report due by 4/19/2019. (mac) (Entered: 02/21/2019) |
| 04/19/2019 | <u>23</u> | Joint STATUS REPORT by UNITED STATES DEPARTMENT OF STATE. (Cirino, Paul) (Entered: 04/19/2019) |

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| 04/23/2019 | | MINUTE ORDER. In light of <u>23</u> the parties' joint status report, the parties are directed to file a further joint status report by no later than June 18, 2019. Signed by Judge Emmet G. Sullivan on 4/23/2019. (lcegs2) (Entered: 04/23/2019) |
| 04/24/2019 | | Set/Reset Deadlines: Joint Status Report due by 6/18/2019. (mac) (Entered: 04/24/2019) |
| 07/16/2019 | | MINUTE ORDER. The parties are DIRECTED to file a joint status report by no later than July 22, 2019 providing a further update to the Court about the status of defendants document production and the parties efforts to narrow the remaining documents. Signed by Judge Emmet G. Sullivan on 7/16/2019. (lcegs2) (Entered: 07/16/2019) |
| 07/16/2019 | | Set/Reset Deadlines: Joint Status Report due by 7/22/2019. (mac) (Entered: 07/16/2019) |
| 07/22/2019 | <u>24</u> | Joint STATUS REPORT by UNITED STATES DEPARTMENT OF STATE. (Cirino, Paul) (Entered: 07/22/2019) |
| 08/05/2019 | | MINUTE ORDER. In light of <u>24</u> the parties' joint status report, the parties are directed to file further joint status report by no later than September 17, 2019. Signed by Judge Emmet G. Sullivan on 8/5/2019. (lcegs2) (Entered: 08/05/2019) |
| 08/05/2019 | | Set/Reset Deadlines: Joint Status Report due by 9/17/2019. (mac) (Entered: 08/05/2019) |